

CERTIFIED MAIL-
RETURN RECEIPT REQUESTED

Mr. Alan Mack
 Director Special Environmental Programs
 Occidental Chemical Corporation
 360 Rainbow Blvd.
 Box 728
 Niagara Falls, NY 14302

Re: Request for Information under 42 U.S.C. §9604(e)(1)
 and 42 U.S.C. §6927(a)

Dear Sir or Madam:

The United States Environmental Protection Agency ("EPA"), under the authority of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. §9601 et seq., is charged with responding to the release or threatened release of hazardous substances and with enforcing certain provisions of the Act. EPA also regulates the handling of hazardous waste under the authority of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. §6901 et seq.

The information requested deals specifically with the area South of Pine Ave at 66 Street. This area includes, but is not limited to, the 66 Street School and The Niagara Catholic School (St. Mary's and Bishop Duffy Schools). All information requested is in regard to this site. Section 104(e)(1) of CERCLA, 42 U.S.C. §9604(e)(1), allows EPA to request certain information from parties who handle hazardous substances, as that term is defined at Section 101(14) of CERCLA, 42 U.S.C. §9601(14). Section 3007 of RCRA, 42 U.S.C. §6927, allows EPA to request certain information from parties who handle hazardous waste, as that term is defined in Section 1004 of RCRA, 42 U.S.C. §6904. Pursuant to the provisions of these sections, EPA hereby requests that your company answer the questions posed in the Attachment to this letter. (Please include in the response the company's EPA Identification Number, if it has one.)

Your response to this Request for Information should be either postmarked or received at EPA, within 14 calendar days of your receipt of this letter. It should be mailed to the following address:

337957



CONCURRENCES						
SYMBOL	DOLAN	ERRD	ERRD	RC	DD	DIRECTOR
SURNAME	DOLAN	PITRUZZELLO	OGG	MUGDAN	LUFFIG	LIBRIZZI
DATE	5/20/85					

Chief
Site Investigation & Compliance Branch
U.S. Environmental Protection Agency
Region II
26 Federal Plaza
New York, New York 10278
Attention: Mr. Charles Dolan

Your failure to respond to this Request for Information within the specified time may subject your company or institution to an enforcement action under Section 3008 of RCRA, 42 U.S.C. §6928. Such enforcement action may include the assessment of substantial penalties of up to \$25,000 for each day of continued noncompliance.

The notarized signature of an officer or other responsible official of your company or institution must appear on the enclosed "Certification of Answers to Request for Information." This certification must be attached to your response.

Please be advised that the company or institution is under a continuing obligation to supplement its response, if information becomes known or available that was unknown or unavailable on the date that the response was prepared and submitted. Moreover, if at any time after submitting your response, should you find that any portion of the response is false or misrepresents the truth, then you are obligated to notify EPA as soon as possible. If any part of the response is found to be untrue, the signatory and the company or institution may be subject to criminal prosecution.

The company may, if it so desires, assert a business confidentiality claim covering part or all of the information requested herein. The claim may be asserted by placing the following upon (or attaching it to) the information, when it is submitted: a cover sheet, a stamped or typed legend, or any other suitable form of notice which employs language such as "trade secret," or "proprietary," or "company confidential." Information covered by such claim will be disclosed by EPA only to the extent, and by means of procedures, set forth in Subpart B, Part 2, Code of Federal Regulations [43 Federal Register 36906, September 1, 1976, as modified at 43 Federal Register 39997, September 8, 1978]. If no such claim accompanies the information when it is received by EPA, the information may be made available to the public by EPA without further notice to the company.

This Request for Information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, Title 44 of the United States Code.

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If you have any questions about this matter, please contact Mr. Dolan at (212) 264-2647. Your cooperation is appreciated.

Sincerely yours,

William J. Librizzi, Director
Emergency & Remedial Response Division

Attachment